Mr. President: I think there is no harm if we go on till 5o' clock. A party is not an excuse for an adjournment.

LEGISLATIVE BUSINESS—NON-OFFICIAL BILLS

The Cochin Court Fees Act (Amendment) Bill

Khan Sahib Ismail Haji Essa Sait *(Mattancheri):* I move that the Cochin Court Fees Act (Amendment) Bill be read in Council.

Mr. A. B. Salem *(Mattancheri):* I second it.

Khan Sahib Ismail Haji Essa Sait *(Mattancheri):* Sir, the amendment is a change which is very necessary for the country and the administration of justice. The law should not be different from what it is in the neighbouring province of Madras. The law should be on a par with what is prevalent in British India. When the law comes into force, it is good for the landlord and the tenant also. So I do hope no more words will be required for the acceptance of this amendment.

Mr. M. Sivarama Menon *(Advocate-General):* Sir, the Government are prepared to accept the principle involved in this Bill, but the wording requires a slight modification. Of course, unless the Mover accepts this position, the Government will have to table an amendment at the next stage.

Motion put and carried.

Secretary to the Council: The title of the Bill is The Cochin Court Fees Act (Amendment) Bill.

The Cochin Code of Criminal Procedure (Amendment) Bill

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I move that the Cochin Code of Criminal Procedure (Amendment) Bill be read in Council.

Mr. K. Narayana Menon *(Mulakunnathukavu):* I second it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* If it is not opposed, I do not wish to make a statement.

Mr. M. Sivarama Menon *(Advocate-General):* Of course, the Government do not oppose the Bill. The principle is accepted, but I wish to make a statement in saying that the Government accept the principle of the Bill. It should not appear that this Government has ever been against the maintenance of the personal liberty of the subject. The occasion for the tabling of such a Bill arose when interpellation were made in connection with the detention of a certain person under the Defence of India Rules. When we examined the position, it was found that section 491 of the Indian Code of Criminal Procedure happened to be omitted from the Cochin Code of Criminal Procedure. The Government assert that consistent with the policy that they have been following in the matter of guaranteering the personal liberty of the subjects of the State, that they have no objection in accepting the principle of the Bill. The question as to whether certain amendments will not have to be made to the draft Bill as proposed by the Hon'ble Mover, will have to be considered in greater detail. Regard being had to the provisions in the British Indian Code of Criminal Procedure, the present Bill will have to be further examined. The principle of the Bill is accepted.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Sir, I think there is no necessity for any speech at this stage. It is only the principle of the Bill that is to be discussed and that has been accepted by the Government for which I am thankful.

Mr. President: No necessity, but I thought the Hon'ble Member might like to say something.

Mr. P. Kumaran Ezhuthassan *(Vadakkanchri):* I speak only whenever there is necessity.

Motion put and carried

Secretary to the Council: The title of the Bill is The Cochin Code of Criminal Procedure (Amendment) Bill.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri).* Sir, The Bill, though a small one, with only two main clauses and the first clause having only three or four sub-clauses, to me it appears that this Bill, though small, affects very important rights of subjects which though in a qualified form is admitted by the Government, it requires examination by a competent committee which can go into it and just apply their minds to certain observations made by the Hon'ble Advocate-

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